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Counsel for Averatec/Trigem USA, Inc.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

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In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC.	:	Case No. 08-35653 - KRH
<u>et al.</u> ,	:	
Debtors	:	Jointly Administered
----- X		

**RESPONSE OF AVERATEC/TRIGEM USA, INC. TO DEBTORS' TWENTIETH
OMNIBUS OBJECTION TO CLAIMS**

Avertec/Trigem USA, Inc. ("Claimant"), by counsel, hereby respond to the Debtors' Twentieth Omnibus Objection to Claims (the "Objection").

BACKGROUND

1. On November 10, 2008 (the "Petition Date"), the above-captioned debtors (the "Debtors") filed voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code, as amended (the "Bankruptcy Code") with the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the "Bankruptcy Court").

2. On December 2, 2008, Claimant timely filed its Section 503(b)(9) Claim (the "Claim"). A true and correct copy of the Claim is attached hereto as Exhibit A. The Claim was in the total amount of \$321,720.00, broken down as follows:

Goods Subject to Section 503(b)(9) Claim

<u>PO #</u>	<u>INVOICE #</u>	<u>Receipt Date</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
2170690	0000239	10/21/2008	216	\$383.00	\$82,728.00
2170691	0000238	10/21/2008	288	\$383.00	\$110,304.00
2170692	0000237	10/21/2008	336	\$383.00	\$128,688.00
Total 503(b)(9) Claim					\$321,720.00

3. On June 23, 2009, the Debtors filed the Objection, seeking to reclassify \$128,688.00 worth of goods sold under invoice number 0000237 (the "Subject Goods") as general unsecured claim on the ground that the goods were not received within 20 days of the commencement of their bankruptcy cases.

RESPONSE TO OBJECTION

4. In response to Claimant's inquiry, the Debtors admitted in an email dated November 20, 2008 (which is attached to the Claim as Exhibit 1 thereto) that the Subject Goods were received on October 21, 2008, which is within twenty days of the commencement of these bankruptcy cases.

Wherefore, Claimant requests that the Court overrule the Debtors' Objection and enter an order allowing the Claim as an administrative expense under Section 503(b)(9) in the amount of \$321,720.00.

Dated: July 14, 2009

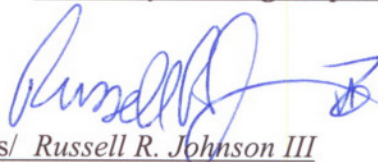
Law Firm Of Russell R. Johnson III, PLC


/s/ Russell Johnson

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CERTIFICATE OF SERVICE

I, Russell Johnson, III, hereby certify that, on July 14, 2009, I caused a true and correct copy of the **RESPONSE OF AVERATEC/TRIGEM USA, INC. TO DEBTORS' TWENTIETH OMNIBUS OBJECTION TO CLAIMS** to be served via the Court's ECF system and via email pursuant to Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notices, Case Management, and Administrative Procedures by emailing the Objection to: circuitcityservice@mcquirewoods.com and proiect.circuitcity@skadden.com.



/s/ Russell R. Johnson III
Russell R. Johnson III